

Willie Alexander, DIN. # 90B3134 #:  
 Sing Sing Correctional Facility  
 354 Hunter Street  
 Ossining, New York 10562-5442

RECEIVED  
 SEP 03 2008  
 CHAMBERS OF  
 RICHARD M. BERMAN  
 U.S.D.J.

Hon. Richard M. Berman, District Judge  
 UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK  
 United States Courthouse  
 500 Pearl Street  
 New York, New York 10007-1312

**REF: Defendant's Motion to Dismiss  
 Alexander v. Galeno, et. al.  
 07 CIV 9662 (RMB)(DFE)**

August 29, 2008

**MEMO ENDORSED**

p.2

Dear Judge Berman:

This letter is to respectfully request an extension of time in which to respond to the [D]efendant's motion to dismiss the matter presently before this Court brought pursuant to 42 U.S.C. §1983.

I would like to bring the Court's attention to the reasons for this request at this juncture. The motion papers sent to me by the Attorney General of New York State via his Counsel has been lost. I say lost because the motion papers were in a cabinet for overnight storage, and the next day they were no where to be found. I have no idea of who removed them from the cabinet, but I suspect it was done by another inmate, for what reason, I've not a clue. The cabinet was not in my cell or living quarters and was accessable by any number of people here at the prison. The loss is my fault to the extent that I never thought an inmate would ever steal someone else's legal work. I respectfully ask for an additional 60 days in which to respond to the motion of the [D]efendant's.

Additionally, I would respectfully ask that if possible, a copy of the Motion to Dismiss my action by the [D]efendant's be made available to me for the purpose of making a xerox copy of same, after which I would return the Court's copy immediately. I am unable to pay the costs of the Court copying, but at the facility level I can obtain such at the rate of .10¢ per page via the Law Library here at Sing Sing.

I am forwarding copies of this letter to both the Attorney General of New York State eg: Counsel, and a copy of such to the Senior Pro Se Clerk of this Court.

Hon. Richard M. Berman,  
U.S. District Court Judge  
August 29, 2008  
pg-2-

It is my fervent hope that Your Honor will grant me this request, and that you will understand why I am making such, especially in view of my circumstances.

I respectfully ask the understanding of the [D]efendant's in this matter as well.

Very Respectfully submitted,

*Willie Alexander*

WILLIE ALEXANDER, DIN. #90B3134  
Petitioner Pro Se  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, New York 10562-5442

TO: Ms. Natalie Sobchak, Senior Pro Se Clerk  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
United States Courthouse Room 230  
500 Pearl Street  
New York, New York 10007-1312

Hon. Andrew M. Cuomo, NYS Attorney General  
Department of Law **ATTN: JEB HARBERN, Esq of Counsel**  
120 Broadway - 25th Floor  
New York, New York 10271-0332

Application granted. Plaintiff may file  
an opposition to Defendants' motion  
on or before 11/3/08. Defendants' reply  
by 11/17/08.

SO ORDERED:  
Date: 9/4/08

*Richard A. Berman*  
Richard M. Berman, U.S.D.J.